

REMARKS

In response to the above-identified Office Action, Applicants respectfully request reconsideration of the Application in view of the following remarks. In this Response, Applicants amend claims 1-6, 8-20, 25, 27-32, 34-39, 41-53, 58-63, 65-77, and 82. Applicants do not cancel or add any new claims. Accordingly, claims 1-6, 8-39, 41-63, and 65-82 remain pending in the Application.

I. Claims Rejected Under 35 U.S.C. § 102

A. The *Kidder* Reference

Claims 1, 4, 9-11, 14-17, 19-21, 23-26, 34, 37, 42-44, 47-50, 52-54, 56-58, 61, 66-68, 71-74, 76-78, and 80-81 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,445,774 issued to Kidder et al. (“*Kidder*”). Applicants respectfully traverse the rejection, at least in view of the amendments to independent claims 1, 25, 34, and 58.

To anticipate a claim, the cited reference must disclose each and every element of the rejected claim (*see* MPEP § 2131). Among other elements, independent claim 1 defines a method for decision analysis and resolution comprising the steps of, “relating a solution to the root cause based on the event” and “autonomously resolving the root cause when the event can be resolved automatically.” Applicants submit that *Kidder* fails to disclose at least these elements of claim 1.

Kidder discloses a system for “the detection, reporting, and resolution of anomalies in a telecommunications network” (*Kidder*, Col. 1, lines 6-8). More specifically, *Kidder* discloses:

Methods and systems for automating the dissemination and processing of alarm reports received from a telecommunications network are provided. Alarm reports, which are provided to network monitors by a network management system, correspond to alarms that are generated by the telecommunications network. Network monitors view these alarm reports and group them together to form event reports. The network monitors then uses the event reports to produce trouble reports that are processed by a trouble management system. The trouble management system dispatches field engineers to repair networks anomalies in accordance with these trouble reports. An automated workflow system provides automated alarm report dissemination and processing. The automated workflow system provides a graphical interface to view and manipulate alarm reports and to automatically create and handle event reports and trouble tickets. The workflow system also allows network monitors to

identify which network component within the telecommunications network generated a specific alarm and to append telecommunications network site and topology data to event reports. The automated workflow system also tracks the status of the trouble tickets subsequent to their creation and automatically updates associated event and alarm reports. (*Kidder*, Abstract).

As such, Applicants submit that *Kidder* discloses methods and system where the computing system identifies a problem, generates a trouble ticket for the problem, and notifies a user of the problem so that the user can fix the problem. Therefore, Applicants submit that *Kidder* fails to disclose at least the elements of, “relating a solution to the root cause based on the event” and “autonomously resolving the root cause when the event can be resolved automatically,” as recited in claim 1.

At least for the reasons discussed above, *Kidder* fails to disclose each and every element of claim 1. Therefore, claim 1 is not anticipated by *Kidder*. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claim 1.

Claims 4, 9-11, 14-17, 19-21, and 23-24 depend from claim 1 and include all of the elements thereof. Therefore, Applicants submit that claims 4, 9-11, 14-17, 19-21, and 23-24 are not anticipated by *Kidder* at least for the same reasons as claim 1, in addition to their own respective features. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 4, 9-11, 14-17, 19-21, and 23-24.

Regarding claims 25-26, 34, 37, 42-44, 47-50, 52-54, 56-58, 61, 66-68, 71-74, 76-78, and 80-81, Applicants submit that each of these claims recite elements similar to claim 1 discussed above. Therefore, Applicants submit that claims 25-26, 34, 37, 42-44, 47-50, 52-54, 56-58, 61, 66-68, 71-74, 76-78, and 80-81 are not anticipated by *Kidder* at least for the same reasons as claim 1, in addition to their own respective features. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 25-26, 34, 37, 42-44, 47-50, 52-54, 56-58, 61, 66-68, 71-74, 76-78, and 80-81.

B. The Grace Reference

Claim 82 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,748,098 issued to Grace (“Grace”). Applicants respectfully traverse the rejection, at least in view of the amendments to claim 82.

To anticipate a claim, the cited reference must disclose each and every element of the rejected claim (see MPEP § 2131). Among other elements, claim 82 defines a computer-implemented method for analyzing and resolving a fault within a computing system comprising “relating a solution to the root cause based on the fault” and “automatically resolving the root cause, by the computing system, if the root cause has a statistically significant correlation with a set of tasks leading to the solution.” Applicants submit that *Grace* fails to disclose at least these elements of claim 82.

In making the rejection, the Patent Office characterizes Col. 2, lines 51-52 and Col. 2, line 65-Col.3, line 10 of *Grace* as disclosing the above-referenced elements of claim 82. Applicants respectfully disagree with the Patent Office’s characterization of *Grace*.

Grace is entitled, EVENT CORRELATION, and *Grace*’s Abstract states:

simultaneous events reported to an equipment management system are compared with historical data in order to establish whether there is a relationship between the events. Historical data is used to determine the statistical probability of the event occurring independently simultaneously. (Emphasis added).

Moreover, the sections of *Grace* cited by the Patent Office disclose that event correlation includes “identifying alarm conditions occurring in the telecommunications network within a predetermined temporal window, correlating the identified alarm conditions by analysing the historical data to determine the statistical probabilities of pairs of the identified alarm conditions occurring by chance within the same temporal window” (Grace, Col. 2, line 63-Col. 3, line 2). In fact, *Grace* states that, “preferably the method includes the steps of selecting one of the identified alarm conditions, and for each of the remaining identified alarm conditions, determining the statistical probability of that alarm condition and the selected alarm condition occurring by chance in the same temporal window” (Grace, Col. 3, lines 16-21). *Grace* then concludes by disclosing that:

The invention relies on an analysis of the statistical probability of the simultaneous occurrence of the alarm conditions. In essence, it relies on the fact that there is a very low probability of two independent alarm conditions, both themselves rare, occurring simultaneously. It follows that if there is nevertheless a history of two rare alarm conditions occurring simultaneously, it is probable that the alarm conditions are not independent, and that there is a relationship between them. The method may be used to compare alarm conditions selected pair-wise by the operator for possible matches, but in another arrangement the comparison is made between all alarm conditions occurring simultaneously, which are then ranked in order of their calculated probability of having occurred together at one time by chance. (*Grace*, Col. 3, line 59-Col. 4, line 5).

Therefore, Applicants submit that *Grace* discloses a device that uses statistical analysis to determine the probability that two events are correlated or related to one another, which is different from “relating a solution to the root cause based on the fault” and “automatically resolving the root cause, by the computing system, if the root cause has a statistically significant correlation with a set of tasks leading to the solution automatically resolving the event,” as recited in claim 82. Therefore, *Grace* fails to disclose each and every element of claim 82.

The failure of *Grace* to disclose each and every element of claim 82 is fatal to the anticipation rejection. Therefore, claim 82 is not anticipated by *Grace*. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 82.

II. Claims Rejected Under 35 U.S.C. § 103

A. *Kidder* in view of *Valadarsky*

Claims 2-3, 8, 35-36, 41, 59-60, and 65 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Kidder* in view of U.S. Patent No. 7,043,661 issued to Valadarsky et al. (“*Valadarsky*”). Applicants respectfully traverse the rejection.

To render a claim obvious, the cited references must teach or suggest each and every element of the rejected claim (see MPEP § 2143). Claims 2-3, 8, 35-36, 41, 59-60, and 65 each depend from an independent claim (i.e., independent claims 1, 34, and 58) discussed above with respect to the anticipation rejection based on *Kidder*. In rejecting claims 2-3, 8, 35-36, 41, 59-60, and 65, the Patent Office characterizes *Kidder* similar to the anticipation rejection discussed above. Applicants have discussed above the shortcomings of *Kidder* in disclosing at least the elements of, “relating a

solution to the root cause based on the event” and “autonomously resolving the root cause when the event can be resolved automatically,” and submit that such discussion is equally applicable to an obviousness rejection of claims that depend from claims 1, 34, and 58 based on *Kidder*. The Patent Office relies on the disclosure in *Valadarsky* to cure the defects of *Kidder*; however, Applicants submit that *Valadarsky* fails to cure such defects.

In making the rejection, the Patent Office does not cite *Valadarsky* as teaching or suggesting the elements of “relating a solution to the root cause based on the event” and “autonomously resolving the root cause when the event can be resolved automatically,” as recited in claims 2-3 and 8 via independent claim 1, or similarly recited in claims 35-36 and 41 via independent claim 34, and claims 59-60 and 65 via independent claim 58. Moreover, in reviewing *Valadarsky*, Applicants are unable to discern any sections of *Valadarsky* disclosing such elements. Therefore, *Valadarsky* fails to cure the defects of *Kidder*. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 2-3, 8, 35-36, 41, 59-60, and 65.

B. *Kidder* in view of *Paradies*

Claims 5-6, 8, 12-13, 18, 22, 27-33, 38-39, 41, 45-46, 51, 55, 62-63, 65, 69-70, 75, and 79 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Kidder* in view of U.S. Patent No. 6,463,441 issued to *Paradies* (“*Paradies*”). Applicants respectfully traverse the rejection.

To render a claim obvious, the cited references must teach or suggest each and every element of the rejected claim (see MPEP § 2143). Claims 5-6, 8, 12-13, 18, 22, 27-33, 38-39, 41, 45-46, 51, 55, 62-63, 65, 69-70, 75, and 79 each depend from an independent claim (i.e., independent claims 1, 34, and 58) discussed above with respect to the anticipation rejection based on *Kidder*. In rejecting claims 5-6, 8, 12-13, 18, 22, 27-33, 38-39, 41, 45-46, 51, 55, 62-63, 65, 69-70, 75, and 79, the Patent Office characterizes *Kidder* similar to the anticipation rejection discussed above. Applicants have discussed above the shortcomings of *Kidder* in disclosing at least the elements of, “relating a solution to the root cause based on the event” and “autonomously resolving the root cause when the event can be resolved automatically,” and submit that such discussion is equally applicable to an obviousness rejection of claims that depend from claims 1, 34, and 58 based on *Kidder*. The Patent Office relies on the disclosure in *Paradies* to cure the defects of *Kidder*; however, Applicants submit that *Paradies* fails to cure such defects.

In making the rejection, the Patent Office does not cite *Paradies* as teaching or suggesting the elements of, “relating a solution to the root cause based on the event” and “autonomously resolving the root cause when the event can be resolved automatically,” as recited in claims 5-6, 8, 12-13, 18, 22, and 27-33 via independent claim 1, or similarly recited in claims 38-39, 41, 45-46, 51, and 55 via independent claim 34, and claims 62-63, 65, 69-70, 75, and 79 via independent claim 58. Moreover, in reviewing *Paradies*, Applicants are unable to discern any sections of *Paradies* disclosing such elements. Therefore, *Paradies* fails to cure the defects of *Kidder*. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 5-6, 8, 12-13, 18, 22, 27-33, 38-39, 41, 45-46, 51, 55, 62-63, 65, 69-70, 75, and 79.

III. Claim Amendments

Claims 2-6, 8-20, 27-32, 35-39, 41-53, 59-63, and 65-77 have been amended so that various elements recited in these claims are consistent with their respective independent claims.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060 or jgraff@ifllaw.com.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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Dated: May 20, 2008

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